



BARRISTER SERVICES

Y21011

USER GUIDE

FRAMEWORK **Y21011** – Issue No. 1










Contract Period: : 1st December 2021 to 30th November 2025 (4 years)

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CONTENTS

SECTION 1	WHAT DOES THE FRAMEWORK COVER?	3	
SECTION 2	WHO CAN ACCESS THE FRAMEWORK?	4	
SECTION 3	ABOUT US	5	
SECTION 4	HOW TO USE THE FRAMEWORK	6	
SECTION 5	BENEFITS AND KEY POINTS	9	
SECTION 6	AWARDED CHAMBERS	10	
APPENDIX A	CUSTOMER ACCESS AGREEMENT FORM	12	
APPENDIX B	CONFIRMATION OF AWARD FORM	13	
APPENDIX C	GDPR	14	

LEAD AUTHORITY

If you have any questions about this framework or would like any further information, including the terms and conditions, please contact:

Sobia Asad (Framework Manager)
sobia.asad@csLtd.org.uk | 07729 106607

KCS

Unit 1, Aylesford Commercial Park
 New Hythe Lane
 Aylesford
 Kent
 ME20 7FE

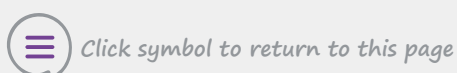
THE AGREEMENT

In accordance with best procurement practice, EU and UK Procurement Directives and Regulations, Kent County Council via KCS Procurement Services have created a national framework agreement (the agreement) for the supply of **Barrister Services Y21011**.

The framework period is 48 months
 1st December 2021 to 30th November 2025

FTS notice and the contract ref
 2021/S 000-017372

FTS award notice and ref
 2022/S 000-002939



WHAT DOES THE FRAMEWORK COVER? 

SECTION ONE – WHAT DOES THE FRAMEWORK COVER?

The framework agreement covers the provision and ability to provide a full range of Barrister Services.

REQUIREMENTS

Include, but are not limited to, the following:

- Provision of a written opinion
- Advice
- Conference with client
- Attending advocates' meetings
- Advocacy at hearings (Case Management, Issue Resolution, Final, Fact Finding, Emergency Protection Order, Direction, Adoption)
- Appeals
- Attend Court (Magistrates, Crown, Family, County, High Court, Court of Appeal, Supreme Court, European Court of Human Rights)
- Provide robust representation
- Ensure all parties are kept informed of all negotiations
- Seek realistic timescales for the filing and service of evidence
- Contact the instructing solicitor should an issue arise at Court which requires further instructions from an individual not present at Court
- Judicial reviews
- Adhere to all data protection and GDPR regulations in relation to material provided

Indicative Barrister Services requirements include, but are not limited to, the following categories or service provided:

- Child protection
- Adult services
- Community care
- International services
- Finance services
- Procurement and contract services
- Civil litigation



SECTION TWO – WHO CAN ACCESS THE FRAMEWORK?

The procurement process adopted by the contracting authority was based upon an open procedure, as detailed in the ‘Public Contract Regulations 2015’. In brief the process was as follows:

- 1 Only those organisations that expressed their interest in the opportunity via the Kent Business Portal received the Invitation to Tender (ITT).
- 2 All submitted, compliant, bids were evaluated in accordance with the instructions contained within the tender documents.

All public bodies have access to this agreement but may only do so with the agreement of the contracting authority. Those organisations who may wish to access this agreement will be members, affiliates and associates of the CBC Group, the police service, the fire service, the NHS & NHS Trusts, third sector organisations, academic centres (including academies), publicly funded organisations and publicly owned private companies, operating within the geographic boundaries of the United Kingdom, Channel Islands and Northern Ireland. The agreement is also open for use by all other local authorities and public sector bodies.

Full details of the classification of potential contracting bodies and end users geographical areas and organisation classification can be found in the Find-A-Tender notice.

 <https://www.find-tender.service.gov.uk/Notice/002939-2022>

TO ACCESS THE FRAMEWORK AGREEMENT

Potential customers must complete the **Customer Access Agreement Form – Appendix A**



SECTION THREE – ABOUT US

KCS Procurement Services is a trading unit of the Commercial Services Group, one of the largest trading organisations of its kind in Europe with a turnover in excess of £600 million. Tracing its roots back to 1902, as an education stores department for Kent County Council (who remain our only shareholder), the Commercial Services Group has subsequently grown organically to supply an ever-increasing range of best value goods and services to other publicly funded organisations. These include local government, education establishments, the care sector and the emergency services.

WHY YOU SHOULD CONSIDER KCS PROCUREMENT SERVICES

KCS Procurement Services has frameworks that supply to customers nationally. We strive to offer the best customer experience to ensure that all public sector establishments are protected from the complications and risks associated with procuring high value products and services. Below are just some of the reasons why you should consider KCS Procurement Services as your procurement specialists.



KNOWLEDGE

With over 100 years of collective experience dealing with the public sector, every member of staff at KCS Procurement Services can call upon the vast amount of knowledge and experience we have as a team to ensure we can assist you with even the most complicated of queries.



SUPPORT

Every member of the KCS Procurement Services team is just a phone call away. We are here whenever you need us to help support you through the tender process, offer advice or act on your behalf when liaising with suppliers.



CHOICE

We work with some of the top suppliers and manufacturers in the industry. Every framework has been thoroughly created to ensure that you, the customer, get the best terms and conditions from the best suppliers offering the best products on the market.



COMPLIANCE

All of our frameworks are national, fully compliant and adhere to the latest Public Contracts Regulations (2015). As well as being able to offer you full PCR 2015 compliance and strong buying power, we provide terms and conditions that are designed specifically for the public sector to protect you. There is no necessity to do a full tender as we have already done the hard work for you.



SECTION FOUR – HOW TO USE THE FRAMEWORK

This framework agreement allows for customers to place their orders via **direct award** and **further competition**.

The customer is strongly advised to carry out their own due diligence before selecting whether they conduct a further competition or direct award with any of the awarded suppliers. The customer will determine the requirement, specification and award, based on the Most Economically Advantageous Tender (MEAT).

KCS Procurement Services takes no responsibility for the chosen contracting method of any individual customer.



DIRECT AWARD

Placing an order with any capable supplier awarded on the framework agreement, without re-opening competition, following the criteria set out below.

Regulation 33(8)(a) of the Public Contracts Regulations 2015 (PCR 2015) sets out the criteria for making a direct award where a framework agreement is concluded with more than one supplier:

- All the terms governing the provision of the works, services and supplies concerned are set out in the framework agreement, and
- The objective conditions for determining which of the suppliers on the framework agreement shall perform them are set out in the procurement documents.

In accordance with the above regulation, direct award orders may be placed under this framework agreement provided the customer can meet any one of the following objective conditions:

- Ability to supply the required service
- Product or service required is unique/exclusive to one supplier
- Continuity of existing goods/services
- Authorised participants own procurement policy value threshold





FURTHER COMPETITION

Re-opening competition with all the capable suppliers awarded on the framework agreement to determine the most appropriate supplier for a defined period of time or project.

The customer may choose to implement, amend or provide alternative terms and conditions to those contained within the Barrister Services individual contract terms and conditions. Any such amendments or alternative terms and conditions will be contained within the further competition documents and/or the order/individual contract.

In order to adhere to 'The Public Contracts Regulations 2015' when re-opening competition under this framework agreement the participating authority should follow the steps below:

- 1** The participating authority/customer must invite all suppliers on the framework agreement who are deemed capable of delivering the particular requirement.
- 2** The participating authority/customer shall be responsible for formulating a specification/product brief containing full details of the work/products required.
- 3** The participating authority/customer will send the specification/product brief to all suppliers quoting the framework agreement reference number. A reasonable and proportionate time limit should be set for the submission of fully completed tender responses.
- 4** Responses received must be kept in a secure place, unopened, until the designated closing date and time for final submissions has passed. Responses received after the specified date and time should be rejected unopened.
- 5** The submitted response shall be evaluated in accordance with the criteria stated in the original specification/product brief. The headline criteria used must be the same as the headline criteria used for the original framework agreement or part thereof, but the participating authority/customer may change the weightings and add their own sub-criteria to apply.
- 6** The tenderers must be advised of the result in writing including brief details on where they scored points and where they did not.
- 7** A required 'standstill period' does not apply to further competitions held under a framework agreement. However, it is advisable to hold a standstill period in relation to a further competition as it is possible a supplier may challenge the decision and apply to court for a 'declaration of ineffectiveness' which could lead to the individual contract being terminated and possibly a fine or compensation claim.
- 8** There is no scope at the further competition stage to select on the basis of general financial and economic standing or technical ability, as these issues have been addressed as part of process to establish the framework agreement. However, this does not mean financial due diligence should not be undertaken if considered appropriate (e.g. obtaining a report on a suppliers financial standing from an appropriate agency) as long as this does not form part of any selection process.



ASSESSMENT CRITERIA HEADINGS

The headline criteria to be used at further competition stage shall be a combination of:

-  Price
-  Quality of service/added value
-  Social value

Customers may add their own sub-criteria underneath these headings and select their own weightings that shall be relevant to their individual need.

Further Competition template

A further competition template is available from KCS Procurement Services, please contact Sobia Asad on **07729 106607** or email sobia.asad@cstld.org.uk



LENGTH OF AN INDIVIDUAL CONTRACT

In accordance with the ‘Public Contract Regulations 2015’ individual contracts based on a framework agreement are to be awarded before the end of the term of the framework agreement itself. The duration of the individual contract does not need to coincide with the duration of the framework agreement, but might, as appropriate, be shorter or longer. In particular, the customer is allowed to set the length of individual contracts based on a framework agreement taking account of factors such as the time needed for their performance, where maintenance of equipment with an expected useful life of more than four (4) years is included or where extensive training of staff to perform the individual contract is needed.

The individual contract terms and conditions will apply and will remain in force after the expiry of the framework agreement until such time all individual contracts expire or are terminated.



SECTION FIVE – BENEFITS AND KEY POINTS



All our frameworks are **free to access**.



This framework is **fully compliant** with the Public Contracts Regulations 2015.



Authorised participants can re-open competition within the framework, removing the need for a full tender exercise or lengthy supplier evaluation each time they have a Barrister Services requirement including; provision of written opinion, attending advocate meetings and appeals, **saving time and costs** associated with procurement exercises.



Direct award capability – giving you a quick, easy and PCR15 compliant route to procurement.



The terms and conditions are safe and designed to **protect you**.



Free and **full support** on using the framework through the KCS Procurement Services team.



You are able to benefit from aggregated spend and **lower pricing** based on the value of the overall contract, even on low spend orders.







The framework will be **managed and monitored** by KCS Procurement Services (acting for Kent County Council) on behalf of our customers and your views and requirements will be taken into account when reviewing and developing the contract.

SECTION SIX – AWARDED CHAMBERS

The following chambers have been appointed to this framework –



42 BEDFORD ROW BARRISTERS

-  Vincent Denham - Chambers Director
-  020 7831 0222
-  vincent.denham@42br.com
-  www.42br.com



Francis Taylor Building

FRANCIS TAYLOR BUILDING CHAMBERS

-  Andrew Briton - Principal Clerk
-  020 7427 1848
-  andrew.briton@ftbchambers.co.uk
-  www.ftbchambers.co.uk

APPENDIX A – CUSTOMER ACCESS AGREEMENT FORM

FRAMEWORK
BARRISTER SERVICES

FRAMEWORK REFERENCE
Y21011

TO BE COMPLETED BY THE CUSTOMER

Before conducting any activity under this framework, please complete this form and return it (by email or post) to KCS Procurement Services via Commercial Services Group (the contracting authority).

AGREEMENT

I confirm that the organisation detailed below intends to participate in the above-mentioned framework agreement, and that in doing so will act in accordance with the guidance, instructions and contractual requirements as provided by the lead authority and in accordance with the Public Contracts Regulations 2015.

Name of purchasing organisation	
Address	
Customer name	
Job title	
Email	
Telephone	
Value of order	£
Length of contract (if applicable)	
Framework ordered via	
Chamber	
Product(s) or service(s) of interest	

Authorised by KCS Procurement Services (on behalf of Kent County Council):

Name		Position	
Signature		Date	

PLEASE RETURN THE FORM TO psframeworks@csLtd.org.uk

SUBMIT

LET'S KEEP IN TOUCH! Please tick if you are interested in receiving information on our other frameworks and services from across the Commercial Services Group.



CONFIRMATION OF AWARD FORM



APPENDIX B – CONFIRMATION OF AWARD FORM

FRAMEWORK
BARRISTER SERVICES

FRAMEWORK REFERENCE
Y21011

TO BE COMPLETED BY THE CUSTOMER

I confirm the details of the following award of contract under framework agreement reference Y21011.

Name of Client Organisation	
Address	
Printed name of person signing this form	
Signature	
Date	
Position	
Telephone	
Email address	
Description of items/service procured	
Awarded Chamber	
Estimated value	£
Date of Award (or period of award if you are commissioning a service to be provided over a period of time)	
Savings achieved	£
Benefits you gained by using the Framework	
Are you happy to be contacted by KCS to discuss your experience of using the Framework? YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEAD ACKNOWLEDGMENT of accessibility (to be completed by lead):

Name		Position	
Signature		Date	

PLEASE RETURN THE FORM TO psframeworks@csLtd.org.uk

SUBMIT



GDPR

APPENDIX C – GDPR



WE ARE COMMITTED TO PROTECTING YOUR PRIVACY.

We take your privacy seriously and will only use any personal information that we collect from you, or that you provide, relating to the products and services you have requested from us, or whereby you make an enquiry about our products or services.

As the contracting authority for framework Barrister Services Y21011 including provision of written opinion, attending advocate meetings and appeals, we have included a GDPR data protection legislation clause in the framework and individual contract terms and conditions.

However, we recommend that any framework users/member authorities should complete their own due diligence to ensure the suppliers they are purchasing from can provide 'sufficient guarantees' that the requirements of GDPR will be met and the rights of data subjects protected.

PRIVACY NOTICE

For more information on our privacy notice please go to the following link:

www.commercialservices.org.uk/privacy.asp



To see the privacy notices of our trusted third party suppliers please visit their individual websites.

KCS FRAMEWORKS

KCS Procurement Services offers fully PCR 15 compliant, simple-to-use frameworks. And with full, free procurement support, you can operate with complete peace of mind.

With over 20 years of experience we'll ensure you have everything you need and are able to make the best decisions for your organisation. Our free, impartial advice will save you time and money.

We look forward to working together.

Transforming the public sector for the better, together.



WHY CHOOSE KCS?

- ✔ Market-leading frameworks
- ✔ Complete peace of mind
- ✔ Continued support for the life of your framework
- ✔ All frameworks are OJEU-compliant and adhere to government guidelines
- ✔ Full tender process already completed
- ✔ All our suppliers are fully approved
- ✔ Complete public sector solutions